IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MALA	*	
	*	
Plaintiff	*	
	*	
v.	*	**Civil No. 08-1671 (SEC)**
	*	
PASTRANA	*	
	*	
Defendant	*	

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ORDER

On June 20, 2008, Petitioner Kelley Mala filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C.A § 2241 (Docket #1). However, pursuant to the U.S. Court of Appeals for the First Circuit's August 28, 2008 Judgment (see Criminal No. 05-286(2), Dockets ## 266 & 270), Mala's conviction has been vacated and the case has been remanded for new trial, consistent with the Appeals Court's Opinion (No. 06-1888). On September 19, 2008, Mala's request for release from custody pending new trial was denied by the District Court. Docket # 268. On September 24, 2008, the U.S. Court of Appeals for the First Circuit also denied Mala's motion for release. A Status Conference has been set for November 20th, 2008 before Chief Judge Jose A. Fuste.

For the above-stated reasons, the instant case shall be **DISMISSED WITH PREJUDICE.**

SO ORDERED.

In San Juan, Puerto Rico, this 3rd day of November, 2008.

S/SALVADOR E. CASELLAS
United States District Judge